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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,075	10/22/2003	Carlos Gamero	2867-268	8307
27820	7590	03/15/2005	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			MOTTOLA, STEVEN J	
P.O. BOX 1287			ART UNIT	
CARY, NC 27512			PAPER NUMBER	
			2817	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/692,075	Applicant(s) GAMERO ET AL.	
	Examiner Steven J. Mottola	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-26 is/are allowed.
- 6) ☒ Claim(s) 1,2,8,9,11 and 16 is/are rejected.
- 7) ☒ Claim(s) 3-7,10 and 12-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,8,9,11 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tarbutton et al.

Tarbutton et al. disclose an amplifier arrangement in fig. 1 that includes a main amplifier 10 and error amplifier 12. This arrangement is indicated in the disclosure at col. 1, line 51 to be described in the patent to Blumenkranz cited below that indicates the amplifiers to be RF power amplifier modules. Col. 4, lines 38-43 of Tarbutton et al. states that either or both of these amplifiers may have their supply voltage controlled by a temperature responsive voltage regulator 30 shown in detail fig. 2. Thus amplifier 10 for instance may be read as the power amplifier of claim 1 or as performing the amplifying step of claim 11 and circuit 30 may be read as the circuitry of claim 1 or as performing the generating step of claim 11 since it generates a supply voltage for the amplifier based on temperature (sensed by thermistor 40) and a source voltage V+ that may be read on the claimed control voltage. Regarding claim 2, note the last three lines of the abstract which states the gain of the amplifier is maintained uniform over a range of temperatures. Regarding claims 8 and 16, note col. 5, lines 47-60 which indicates that the voltage V+ is selected according to the particular application and gives as example a moderate signal gain; thus the source voltage V+ can itself be read as a power control signal as it will affect the gain. Regarding claim 9, Blumenkranz indicates

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at line 40 of col. 7 that the power amplifiers are ICs such as Motorola MHW 4342 or 5342. The data sheet for the 5342 cited below indicates arsenic emitters which should be consistent with GaAs construction.

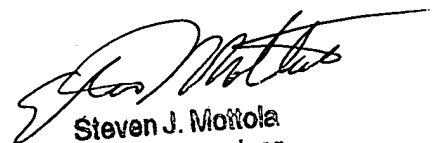
Claims 3-7,10,12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 17-26 are allowed.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blumenkranz is cited in the specification of Tarbutton et al.; see the first page top of the Motorola data sheet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven J. Mottola whose telephone number is 571-272-1766. The examiner can normally be reached on M-Th from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal, can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven J. Mottola
Primary Examiner